
A Police Officer's View of Domestic Violence

Detective Bernie Campbell, Family Violence Detail, Honolulu Police Department

When I was a rookie officer with Honolulu Police Department (HPD) in 1975 responding to domestic violence cases, there seemed to be very little I could do at these situations. The Spouse Abuse law of 1973 permitted officers to arrest if the abuse was committed in their presence.

Frequently, I was looking at victims with swollen, puffy eyes; a bloody nose, bloodied mouth, or various marks on the face, neck or arms. I looked at frightened children, who looked back at me, expecting someone or something to help them.

All I could do was order the abusive ones (if they were married couples) to leave the home for a cooling off period of three hours. And I walked away. Sure, I made a police report; but not having a strong law and the authority to act, I could do little else. The perceived inaction conveyed to everyone in those families that this behavior was *acceptable* because there were no consequences to the batterers. Some of those children likely grew up to be this generation of abusers and victims. Now, as a detective in the Family Violence Detail of HPD, I am seeing them again in **all** kinds of police reports.

What we've learned in the past 20 years is that Domestic Violence is not only a "family matter" or "social" problem, it is a deadly **criminal** problem. Its ripple effect extends into crimes in our schools, our workplaces and our community. It destroys lives, families and communities, and is transmitted to the next generation to continue the cycle of destruction.

Current Law

Currently, Section 709-906 of the Hawaii Revised Statutes (HRS) makes it a crime to physically abuse a family or household member, defined as "spouses or former spouses, parents, children, and persons jointly residing or formerly residing in the same dwelling unit." This is punishable as a misdemeanor with a mandatory minimum two-day jail sentence for a first conviction; and a thirty-day jail sentence for a subsequent conviction within a year. Officers don't need to witness the offense to make an arrest. The law **authorizes** officers to make an arrest based on reasonable grounds.

The *cooling off period* has been extended to twenty-four hours or longer, if it's the weekend. The law further **mandates** an arrest of someone who refuses to leave the premises or returns prior to the end of the cooling off period.

Arrests went from less than 300 arrests in 1986 to nearly 3,000 in 1992!

HPD's #1 Goal

Chief Michael S. Nakamura has declared the reduction of domestic violence to be the Honolulu Police Department's (The Department) number one goal for 1996. The Department recognizes that an effective law enforcement response can reduce homicides, injuries

and recidivism and convey a strong message that violence in the home is a serious crime that will not be tolerated.

The immediate goals of an effective response are to:

- 1) Stop the Violence
- 2) Increase Safety of Victims and Children and
- 3) Hold the Abuser Accountable.

Several strategies have been initiated towards the accomplishment of the Department's goals.

Policies

The Department's policy for enforcing the Abuse of Family or Household Member law (709-906 HRS) has been that of "mandatory arrest". This means that when officers have probable cause to believe someone has physically abused a family or household member, the officers **shall** effect an arrest on the perpetrator.

And most recently, the Department strengthened its policy on the issue of Restraining Order violations by directing officers to effect arrests for these violations of court protective orders whenever probable cause exists. Although restraining orders or TROs are not and never will be bullet-proof vests, this pro-active arrest policy certainly puts more "teeth" into the court orders as well as some immediate consequences for violators.

Training

In January of 1996, the Department began a mandatory two-day Domestic Violence Training for all field officers and supervisors to enhance their ability to respond effectively, safely and consistently to domestic violence cases. This intensive agenda is designed to provide officers with the most recent updates on domestic violence laws and procedures as well as understanding the complex dynamics of domestic violence and its impact on victims, children, abusers and the entire community. The curriculum addresses abuse of family or household members, child abuse, dependent adult abuse, custodial interference (parental kidnapping), court orders of protection, and community resources for victims of domestic violence. As of July, over 500 HPD officers have received the training, and generally, the response has been positive. It is anticipated that approximately 400 - 500 more will be trained before the training program concludes in January 1997.

Victim Assistance and Intervention

The Department recognizes that arrest alone cannot interrupt the cycle of violence and increase the safety of victims. Victims must be informed of the resources available in the community, particularly of shelters, the availability of restraining orders, legal advice, emotional support and counseling.

In February 1994, the Department, in conjunction with the Hawaii Emergency Abuse Response Team (HEART) through Parents and Children Together, has had a "DART" Project (Domestic Abuse

Response Team), consisting of a counselor and an officer. They respond to domestic violence scenes to offer crisis intervention services to victims. Victims receiving DART interventions were tracked by the Prosecutor's Office and were noted to participate more in prosecutions to obtain needed counseling/assistance for their abusive partners. Victims also reported a more positive perception of the police. Additionally, department policy directs officers to make every effort to provide victims with information via a "HELP" card, printed by HPD, which lists the resource agencies for victims to contact, or by connecting them to available community projects such as DART.

A new Grant Project will extend the DART concept by the end of 1996 by providing a "one-stop shop" for victims, where a variety of services will be made available within one location.

Statistics

Recently the Hawaii State Attorney General's office released the results of a study of domestic violence related homicides in Hawaii from 1985-1994.*

Table 1: Cases: Domestic Violence-Related Homicides in the State of Hawaii by County; 1985-1994.

County	Number of cases	Percentage
Hawaii	31	22
Honolulu	95	69
Kauai	4	3
Maui	8	6
Total	138	100

Table 2: Domestic Violence-Related Homicides in the State of Hawaii by Circumstance, 1985-1994.

Circumstance	Number	Percentage
Domestic argument	56	36
Child abuse	20	13
Other argument	16	10
Love triangle	15	10
Break up	12	8
Divorce	10	6
Unknown	10	6
Other*	5	3
Under the influence of drugs	4	3
Psychiatric problems	3	2
Gagged to keep from crying	2	1
Revenge	1	1
Total	154**	99

Note: Percentage do not total 100 due to rounding.

*Includes arguing over the offender's advances, throwing over a cliff after rape, arguing over victim's girlfriend, killing to demonstrate to the offender's girlfriend her fate if she left him, parents arguing—offender attempted to shoot father but shot mother instead, burning down residence while victim was still inside.

**Includes the circumstances of all homicides for all offenders and victims.

Table 3: Victims: Domestic-Related Homicides in the State of Hawaii by Sex, Age and Race, 1985-1994.

Sex	Number of victims	Race	Number of victims
Male	55	African-American	2
Female	93	Caucasian	49
		Chinese	1
		Filipino	34
Age			
5 and under	24	Hawaiian	25
6 - 14	5	Japanese	11
15-10	12	Korean	2
21 - 25	16	Samoan	4
26 - 30	12	Unknown Asian	16
31 - 35	29	Unknown	4
36-40	14		
41 - 45	7		
46 - 50	16		
51 - 55	6		
56 and older	7		
Total	148		

Table 4: Offenders: Domestic Violence-Related Homicides in the State of Hawaii by Sex, Age and Race, 1985-1994.

Sex	Number of victims	Race	Number Offenders
Male	122	African-American	9
Female	19	Caucasian	54
		Filipino	27
Age			
15 - 20	20	Hawaiian	26
21 - 25	20	Japanese	7
26 - 30	25	Korean	1
31 - 35	20	Samoan	5
36 - 40	18	Unknown Asian	11
41 - 45	13	Unknown	1
46 - 50	12		
51 - 60	6		
61 and older	7		
Total	141		

Making a Big Difference

In past years, police officers have been justifiably criticized for their weak response to this most confusing and frustrating crime. But as we've learned more about the complex dynamics involved, and the current research about what **really** works, we have a clear vision of our pivotal role in making a big difference by our proactive response to domestic violence cases.

But the job is not ours alone, nor that of the Criminal Justice System only. Our **entire** community needs to join together in sharing the responsibility, collaborating in the solutions, and committing their efforts and resources to ending domestic violence.

Help us! Together we make a big difference!

* Hawaii Crime Brief, Dept. of the Attorney General, Crime Prevention and Justice Assistance Division. April 1996. Permission for reprint granted. Note: Number of cases vary in Table 1 from Tables 2 and 3 is due to the variable of more than one victim or more than one offender in a case. In Table 3 some homicides were due to multiple circumstances.